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CHICAGO (WBBM) - Illinois Congressman Mark Kirk has serious questions about a Treasury Department proposal that it be allowed to seize and operate troubled financial institutions after consultation with the Federal Reserve Board.

The North Shore Republican calls it: "an historic lunge for power."

On the floor of Congress Kirk said: "The Treasury Secretary wants Congress to give the Executive Branch authority to seize any financial institution in America."

He called that an awesome power that will quickly be abused -- after a Federal Reserve Board Vote -- by presidential appointees.

He does say the Obama administration is on the right track with efforts to prevent a repeat of the nation's current financial nightmare.

But Rep. Kirk says the proposal by Treasury Secretary Tim Geithner puts too much power in the hands of the Treasury Department which is directly under the control of the president. He says that means too much power in the hands of the Executive Branch of government; power that could easily be misused.

Kirk says he prefers the present system where a federal judge seizes and administers an institution after a new "Risk Authority Board" has determined a major institution is on the ropes.

Kirk says future financial safeguards require a tripling of the number of FBI agents assigned to Wall Street. He says there must be a strong law enforcement component so the FBI has enough resources to nail those responsible for what happened on Wall Street.

Kirk also says there must be some new institution with broad authority to determine if an institution is too big to fail and thus requires extra scrutiny -- and possibly a government mandated break up.

He says such a group could oversee institutions that now fall between the cracks like AIG insurance with its credit default swaps.

Kirk says that if an institution is too big to fail, it probably will fail -- at taxpayer expense.

Kirk says deciding whether an institution is too big to fail could require simply anti-trust action that would be triggered by any instruction with a market share of over 25 percent.

The treasury chief is an official of the administration, unlike the FDIC, which is an independent regulatory agency.